

FOURTH DAY
(Monday, April 16, 1990)

The Senate met at 3:00 p.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Glasgow, Green, Harris, Henderson, Johnson, Krier, Leedom, McFarland, Montford, Parker, Parmer, Ratliff, Sims, Truan, Uribe, Zaffirini.

Absent-excused: Ellis, Haley, Lyon, Santiesteban, Tejeda, Whitmire.

A quorum was announced present.

Senate Doorkeeper Jim Morris offered the invocation as follows:

Almighty God, source of our being, engage us this day to learn and to grow, enabling us to be better guardians of the many gifts You have provided. We have learned life is a series of decisions, some significant and crucial, some considerably less. Those made here are crucial and have bearing on all the people of Texas. Our prayer is they will be just and wise and equally applied. Now, as the Senate assembles, we pray You will be in our midst. In Your name. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, April 11, 1990, was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator Ellis was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Haley was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Lyon was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Santiesteban was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Tejeda was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Whitmire was granted leave of absence for today on account of important business on motion of Senator Brooks.

RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate the following enrolled resolutions:

H.C.R. 15

H.C.R. 25

H.C.R. 31

REPORT OF STANDING COMMITTEE

Senator Brooks submitted the following report for the Committee on Health and Human Services:

C.S.S.B. 33**SENATE BILLS ON FIRST READING**

The following bills were introduced, read first time and referred to the Committee indicated:

S.B. 67 by Ratliff Finance
Relating to allocation of funds by the Texas Water Development Board for the Sulphur River Basin Authority.

S.B. 68 by Green Health and Human Services
Relating to the commitment procedures and services for mentally ill and chemically dependent persons; providing penalties.

S.B. 69 by Brooks Natural Resources
Relating to a commercial fisheries marketing council in the agriculture department.

S.B. 71 by McFarland Economic Development
Relating to products liability actions.

S.B. 72 by Sims State Affairs
Relating to a nonbinding referendum on the question of retaining daylight saving time.

(Senator Green in Chair)

MESSAGE FROM THE HOUSE

House Chamber
April 16, 1990

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 35, Recognizing and honoring the 4-H International Foreign Exchange program.

S.C.R. 7, Declaring April 12 as Texas Space Day.

S.C.R. 12, Congratulating the Gary Job Corps Center.

S.C.R. 11, Congratulating the Hays County Historical Commission.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas
April 16, 1990

TO THE SENATE OF THE SEVENTY-FIRST LEGISLATURE,
FOURTH CALLED SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

TO BE A MEMBER OF THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS, for a term to expire August 26, 1995:

CLARK S. WILLINGHAM
3824 Shenandoah
Dallas, Texas 75205

Mr. Willingham will be replacing Jim Humphrey of Henrietta, whose term expired.

TO BE A MEMBER OF THE RIO GRANDE VALLEY MUNICIPAL WATER AUTHORITY BOARD OF DIRECTORS, for a term to expire April 30, 1992:

JOHN W. TOPP
1222 E. Tyler, Suite B
Harlingen, Texas 78550

Mr. Topp is being reappointed.

TO BE A MEMBER OF THE MIDWESTERN STATE UNIVERSITY BOARD OF REGENTS, for a term to expire February 25, 1996:

JOE H. STALEY, JR.
4445 Rheims Place
Dallas, Texas 75205

Mr. Staley will be replacing Margaret Darden of Dallas, whose term expired.

TO BE A MEMBER OF THE LAMAR UNIVERSITY SYSTEM BOARD OF REGENTS, for a term to expire October 4, 1991:

H. WAYNE WILLIS
P. O. Box 1098
Kountze, Texas 77625

Dr. Willis will be filling the unexpired term of Truman Arnold of Texarkana, who resigned.

TO BE A MEMBER OF THE GULF COAST WASTE DISPOSAL AUTHORITY, for a term to expire August 31, 1991:

JEROME J. PENNINGTON
3511 Craighurst
Houston, Texas 77059

Mr. Pennington will be replacing Dr. Charles T. Ladoulis of Taylor Lake Village, who resigned.

TO BE A MEMBER OF THE STATE BOARD OF EXAMINERS OF DIETITIANS, for a term to expire September 1, 1995:

CHERYL PORTER
3306 West Michigan
Midland, Texas 79703

Ms. Porter will be replacing Irma Gutierrez of Laredo, whose term expired.

TO BE A MEMBER OF THE EDUCATIONAL EXCELLENCE COMMITTEE, for a term to expire February 1, 1995:

BETTE ANDREWS NOBLE
6009 S. Country Club Dr.
Victoria, Texas 77904

Ms. Noble will be filling the unexpired term of Jack Fields, Sr., of Humble, who is deceased.

TO BE MEMBERS OF THE FIRE FIGHTERS' RELIEF AND RETIREMENT FUND BOARD OF TRUSTEES, for a term to expire September 1, 1991:

GLENN D. NEUTZLER
202 Meadow Lane
Brenham, Texas 77833

Mr. Neutzler will be filling the unexpired term of Bobby Joe Looney of Mansfield, who resigned.

For a term to expire September 1, 1993:

WAYNE E. POPP
320 S. Wharton
Louise, Texas 77455

Mr. Popp will be filling the unexpired term of Allen Ray Russell of Cedar Hill, who resigned.

TO BE A MEMBER OF THE BOARD OF PILOT COMMISSIONERS FOR THE PORTS OF GALVESTON COUNTY, for a term to expire February 1, 1994:

DIANE BENDER PECK
1903 Williamsburg Ct., S.
League City, Texas 77573

Mrs. Peck is being reappointed.

TO BE MEMBERS OF THE FIRE DEPARTMENT EMERGENCY BOARD, for terms to expire February 1, 1991:

CHARLES C. HARRIS
HC 34, Box 114
Midland, Texas 79701

Mr. Harris will be filling a new position pursuant to H.B. 708, 71st Legislature, Regular Session.

RAY L. WILLIAMSON
2307 Old Lane City Road
Wharton, Texas 77488

Mr. Williamson will be filling a new position pursuant to H.B. 708, 71st Legislature, Regular Session.

ERNEST REESING
Box C-150
Alpine, Texas 79832

Dr. Reesing is being appointed to a new position pursuant to H.B. 708, 71st Legislature, Regular Session.

Respectfully submitted,

/s/W. P. Clements, Jr.
William P. Clements, Jr.
Governor of Texas

CAPITOL PHYSICIAN

Senator Montford was recognized and presented Dr. Fred L. Merian of Yoakum.

Dr. Merian, participating in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians, was welcomed by the Senate and received an expression of gratitude for his service today.

(President in Chair)

NOMINATION RETURNED

On motion of Senator Edwards and by unanimous consent, the Senate agreed to withdraw the nomination of Ms. Barbra Gigout, to be a Member of the Coastal Water Authority, from the Committee on Nominations.

The Senate further agreed to grant the request of the Governor and return this nomination to him.

**SENATE RESOLUTION 3
ON SECOND READING**

On motion of Senator Glasgow and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading:

S.R. 3, Amending the Rules of the Senate of the 71st Legislature, 4th Called Session.

The resolution was read second time and was adopted viva voce vote.

SENATE RULE 11.11 SUSPENDED

On motion of Senator Glasgow and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Jurisprudence might consider **S.C.R. 4** at 9:00 a.m. tomorrow.

MEMORIAL RESOLUTION

S.R. 33 - By Montford, Krier: In memory of Roland Krier of Lubbock.

CONGRATULATORY RESOLUTIONS

H.C.R. 18 - (Johnson): Extending congratulations to the Lincoln High School Lady Tigers.

H.C.R. 20 - (Johnson): Extending congratulations to the Lincoln High School Tigers.

H.C.R. 30 - (Sims): Extending congratulations to PAYS (Preparing Area Youth for Success) High School for receiving the "Special Award" category of the Job Training Partnership Act Presidential Awards program for 1990.

H.C.R. 35 - (Edwards): Recognizing and honoring the 4-H International Foreign Exchange program.

S.C.R. 15 - By Ratliff: Commending the Kilgore College Lady Rangers of 1989-1990 for a superb showing at the National Junior College Athletic Association national tournament.

S.R. 32 - By Barrientos: Extending congratulations to Jane P. Michael for receiving one of the fourth annual Texas Excellence Awards for Outstanding High School Teachers.

S.R. 34 - By Parker: Extending congratulations to Dr. W. Sam Monroe on receiving the Port Arthur Proud Crowd 1990 Roy Hayes Award.

S.R. 35 - By Tejeda: Extending congratulations to Saint Leo Catholic School on the occasion of its 70th birthday.

RECESS

On motion of Senator Brooks, the Senate at 3:19 p.m. took recess until 2:00 p.m. Wednesday, April 18, 1990.